

*Arizona Supreme Court
Judicial Ethics Advisory Committee*

ADVISORY OPINION 90-11
(December 7, 1990)

**Membership on Governor's Statewide
Task Force or Select Commission**

Issues

1. May a judge ethically serve as a member of the Governor's task force on the seriously mentally ill?

Answer: Yes.

2. May a judge ethically serve as a member of the Governor's select commission on juvenile corrections?

Answer: Yes.

Discussion

In Opinion 88-02, we determined that judges could not serve as a member of a committee or board established by the legislature because that would violate the Constitution of Arizona, Article 6, §28, which prohibits judges and justices from holding any other public office during their term on the bench. We do not believe that opinion applies to the questions presented here.

In this case, the Task Force and the Select Commission are groups established by the Governor and membership on them does not constitute occupying another "public office."

Canon 5G of the Code of Judicial Conduct permits judges to accept appointment to governmental committees or commissions dealing with "improvement of the law, the legal system, or the administration of justice." We believe that the Task Force and the Select Commission are the types of organizations contemplated by Canon 5G and membership on them by a judge is permissible, with the caveat that the judge limit his participation to matters dealing with "improvement of the law, the legal system, or the administration of justice."

Applicable Code Sections

Arizona Code of Judicial Conduct, Canon 5G (1985).

Other References

Arizona Judicial Ethics Advisory Committee, Opinion [88-02](#) (May 11, 1988).